

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF EMERY COUNTY COMMISSIONERS  
HELD IN THE EMERY COUNTY COURTHOUSE

FEBRUARY 3, 2015

Present at the meeting was Commission Chairman Ethan Migliori, Commissioner Paul Cowley, Commissioner Keith Brady, Attorney Michael Olsen, Deputy Clerk/Auditor Carol Cox, elected officials and citizens.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS AND DISPOSITIONS

The Warrant Check Edit List #234460 through and including #234594 was presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
9-15	3D Projector Sheriff	\$1,359.00

There were no dispositions

(2)

APPROVAL OF RANDY NIELSON'S APPOINTMENT TO THE EMERY COUNTY FIRE PROTECTION SPECIAL SERVICE DISTRICT REPRESENTING FERRON CITY.

(3)

APPROVAL OF MICHAEL TAYLOR'S APPOINTMENT TO THE EMERY COUNTY FIRE PROTECTION SPECIAL SERVICE DISTRICT REPRESENTING CLEVELAND TOWN.

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(4)

APPROVAL OF TRAVEL BUREAU'S APPOINTMENT OF LAMAR GUYMON TO REPRESENT THEM ON THE TRAILS COMMITTEE.

(5)

APPROVAL OF OUT-OF-STATE TRAVEL FOR TINA CARTER TO ATTEND A TRAVEL SHOW IN COLORADO SPRINGS, CO.

(6)

APPROVAL OF OUT-OF-STATE FOR KYLE EKKER AND JEDD THOMAS FOR TRAINING IN LAS VEGAS, NV.

(7)

APPROVAL TO PROMOTE JERIMIAH RICH FRO CORRECTION OFFICER I TO CORRECTION OFFICER II FOR 2 CONSECUTIVE YEARS IN THE JAIL. MOVE FROM GRADE 15 @ \$16.41 PER HOUR TO GRADE 16 @ \$17.40 PER HOUR.

(8)

APPROVAL OF DIXIE SWASEY TO BE A VOLUNTEER IN THE RECORDER'S OFFICE.

(9)

APPROVAL OF ALEX CURTIS AS A VOLUNTEER IN ARCHIVES.

(10)

APPROVAL FO THE FOLLOWING INDIVIDUALS AS VOLUNTEERS FOR THE CLEVELAND LIBRARY..BARBARA JONES, CASSIE THATCHER, AMANDA O'NEIL, JULIE BELL, TINA BRADLEY, JULIE WOODHOUSE, JANNETTA YOUNG, BROOKE GROSS, KATIE SITTERUD, JEREMIAH JENSEN, TOM HOLDAWAY, BREANNE COWLEY, AND KRISTY WARD.

(11)

APPROVAL OF THE FOLLOWING INDIVIDUALS AS VOLUNTEERS FOR THE ORANGEVILLE LIBRARY.. GORDON LARSEN, NICKY NIELSON, AND BRANDON HOFFMAN.

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(12)

WAYDE NIELSEN HAS SELECTED EARL NELSON AS A PART TIME EQUIPMENT OPERATOR WORKING 19 3/4 PER WEEK. NOT ELIGIBLE FOR BENEFITS. WAGE \$16.39.

(13)

APPROVAL TO START RECRUITMENT PROCESS FOR A CERTIFIED PATROL DEPUTY IN GREEN RIVER.

(14)

APPROVAL OF COMMISSION MEETING MINUTES DATED JANUARY 20, 2015.

Commissioner Keith Brady made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Paul Cowley. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA.

Nothing was pulled.

(2)

PRESENTATION OF EMPLOYEE OF THE MONTH

Commissioner Migliori presented Employee of the Month to Clinton Olsen. Clinton Olsen has worked for Emery County for 9 years as the IS/GIS Tech. During this time he has proven his worth, dedication, and commitment to Emery County. He is always willing to work hard on whatever project he is assigned to. He perseveres through many arduous tasks and follows them through to completion. His honesty and work ethic are impeccable.

Clinton's work on mapping applications with the Emery County website are saving the county a significant amount of money and provides easy access to data for consumption by the public. Other departments and businesses in the county have found value in these applications and use them on a daily basis.

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Clinton's work on the Emery County trails maps have been excellent. He has gathered data and collaborated with many organizations and groups interested in consolidating data into an organized map application. His ambitions to explore and enjoy what Emery County has to offer has made his insight on this project invaluable. The maps allow you to download them and use the GPS on your device to track your location. This will help residents and visitors explore the rugged San Rafael.

Clinton was presented with a plaque of appreciation and Emery County Business Chamber Bucks.

(3)

RATIFY LETTER OF SUPPORT TO THE PRISON RELOCATION COMMITTEE TO  
CONSIDER THE EMERY COUNTY REGION FOR RE-LOCATION OF A NEW STATE  
PRISON.

Commissioner Migliori explained that due to the controversy surrounding the location for a new prison facility along the Wasatch front they have opened it up to other areas of the state. Carbon and Emery County officials have met and decided to submit application to the Prison Relocation Commission as a joint application. A letter was drafted and signed by the Commissioners of both counties in support of the application. The letter is as follows:

Please accept this letter of support from the Carbon County Commission and the Emery County Commission, including our joint application to relocate the Utah State Prison to our counties.

This is a regional application as opposed to a single county application because it would be beneficial to both counties if the new prison were built in either Carbon or Emery County. Carbon and Emery Counties have a long history of working together as our local communities are tied to the coal and power industries.

Our communities are highly interested in the new correctional facility which would bring jobs to our areas and help diversify our economies. Our counties have ample land that will fulfill application requirements without fear of development encroachment or environmental constraints, as well as access to water, electricity, natural gas, telecommunications, airport service, etc. as outlined in the application.

Carbon and Emery Counties endorse this joint application and welcomes any questions or comments from the Prison Relocation Commission. We invite you to personally visit our sites at your earliest convenience and meet with our local leaders to address any questions or concerns that you may have.

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Commissioner Migliori indicated that he has met with many entities and citizens and has received favorable responses in support of the possibility of relocating the State Prison in this area. He stated that the application and letter of support was sent on January 29, 2015 and asked that the endorsing and sending of the letter to the Utah State Prison Relocation Commission be ratified by the Emery County Commissioners.

Steve Barton asked the Commissioners if the public will have an opportunity to comment on this issue?

Commissioner Migliori stated that this is just an application process and of course if we are considered, there will be some much needed education and public comment/input discussions.

Commissioner Keith Brady made a motion to ratify the signing of a letter of support to the State Prison Relocation Commission to consider the Emery County region for re-location of a new state prison. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(4)

APPROVAL OF APPOINTMENT OF PAUL COWLEY TO THE MUSEUM OF THE SAN RAFAEL BOARD OF DIRECTORS.

Commissioner Paul Cowley made a motion to approve appointment of Paul Cowley to the Museum of the San Rafael Board of Directors. The motion was seconded by Commissioner Keith Brady. The motion passed.

(5)

APPROVAL OF APPOINTMENT OF CARL JACOBSON, ANN MARIE ANDERSON, BART COX, AND GARY ARRINGTON TO THE PLANNING COMMISSION.

Commissioner Paul Cowley made a motion to approve the appointment of Carl Jacobson, Ann Marie Anderson, Bart Cox, and Gary Arrington to the Planning Commission. The motion was seconded by Commissioner Keith Brady. The motion passed.

(6)

APPROVAL OF APPOINTMENT OF JEFFREY N. TUTTLE TO THE CASTLE VALLEY SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD.

Commissioner Keith Brady made a motion to approve appointment of Jeffrey N. Tuttle to the Castle Valley Special Service District Administrative Control Board. The motion was seconded

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by Commissioner Paul Cowley. The motion passed.

(7)

APPROVAL OF APPOINTMENT OF KEITH BRADY TO THE BOARD OF THE SIX  
COUNTY INFRASTRUCTURE COALITION.

Commissioner Paul Cowley made a motion to approve appointment of Keith Brady to the Board of the Six County Infrastructure Coalition. The motion was seconded by Commissioner Keith Brady. The motion passed.

(8)

APPROVAL OF APPOINTMENT OF MARIE GUYMON TO THE EMERY COUNTY  
COUNCIL ON AGING AND NUTRITION.

Commissioner Paul Cowley made a motion to approve appointment of Marie Guymon to the Emery County Council on Aging and Nutrition. The motion was seconded by Commissioner Keith Brady. The motion passed.

(9)

CONSIDERATION AND APPROVAL OF STANDARD COOPERATIVE AGREEMENT FOR  
UTAH STATE UNIVERSITY EXTENSION EDUCATIONAL WORK FY 2015.

Commissioner Keith Brady made a motion to table this item for two weeks to allow Commissioner Migliori to receive some clarification. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF PROPOSAL FOR LEGAL SERVICES OF  
ARNOLD & CROOK LAW OFFICES FOR REVIEW OF EC PERSONNEL POLICY AND  
PROCEDURES MANUAL.

Attorney Michael Olsen indicated that he has reviewed this with Mary Huntington and found this to be a beneficial service for the County. He indicated that Arnold & Crook Law Offices is a specialty area of law and feels comfortable with the firm. Mary stated that the last time the personnel policy was reviewed was in 2009. Mr. Olsen indicated that the firm will have a written review of the personnel policy within 6 weeks. Mr. Olsen stated he was in support of the proposal and recommended approval. Commissioner Paul Cowley made a motion to approve of proposal for legal services of Arnold & Crook Law Offices for review of Emery County's

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Personnel Policy and Procedures Manual. The motion was seconded by Commissioner Keith Brady. The motion passed.

(11)

COOPERATIVE LAW ENFORCEMENT 2015 ANNUAL OPERATING & FINANCIAL PLAN BETWEEN EMERY COUNTY AND USDA FOREST SERVICE MANTI-LASAL NATIONAL FOREST.

Sheriff Funk indicated that he was able to negotiate the hourly wage from \$27.00 per hour to \$36.00 per hour and the mileage to .50 cents per mile. Commissioner Keith Brady made a motion to approve of Cooperative Law Enforcement 2015 Annual Operating & Financial Plan between Emery County and USDA Forest Service Manti-LaSal National Forest. The motion was seconded by Commission Paul Cowley. The motion passed.

(12)

CONSIDERATION AND APPROVAL OF EQUITABLE SHARING AGREEMENT AND CERTIFICATION.

Sheriff Funk indicated that the Equitable Sharing Agreement and Certification of for sharing funds related to seizure on the Federal side. Commissioner Keith Brady made a motion to approve of Equitable Sharing Agreement and Certification. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(13)

CONSIDERATION AND APPROVAL OF RESOLUTION AMENDING CERTAIN SECTIONS OF THE ZONING ORDINANCE OF EMERY COUNTY.

On November 25, 2014 a Public Hearing was held regarding certain sections of the Zoning Ordinance of Emery County. The sections considered dealt with signs, solar power and cell towers. At that time the changes were approved. A resolution is now needed amend and adopt the changes to the Zoning Ordinance. Commissioner Keith Brady made a motion to approve of Resolution 2-3-15 amending certain sections of the Zoning Ordinance of Emery County. The motion was seconded by Commissioner Paul Cowley. The motion passed.

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(14)

CONSIDERATION AND APPROVAL OF ANNUAL EEO REPORT.

Mary Huntington presented the Annual Equal Employment Opportunity report for approval. She indicated that the only thing that changes on the report is the employee base. Commissioner Paul Cowley made a motion to approve the Annual EEO Report. The motion was seconded by Commissioner Keith Brady. The motion passed.

(15)

CONSIDERATION AND APPROVAL OF UPPER PAYMENT LIMIT ASSISTANCE FOR EMERY COUNTY CARE AND REHABILITATION.

Ross Huntington, Chairman of the Emery County Care and Rehabilitation Board discussed Upper Payment Limit assistance. He explained that this is a program provided through the State Department of Health to provide assistance to health facilities such as ECCCR that is not state owned. ECCCR qualifies for this program. The program requires seed money and can be submitted by a sponsoring entity. Medicaid or Medicare money cannot be used as seed money for this program. The required payment is \$36,986.81. With that payment the ECCCR will receive \$110,000.00. When the ECCCR receives the money, they will return the \$36,986.81 to make the County whole again. The ECCCR will have \$73,013.19 to assist them in their programs. This same financial assistance from the County was done in 2014 successfully. Mr. Huntington asked that the Emery County Commissioners consider sponsoring the Upper Payment Limit Assistance for Emery County Care and Rehabilitation again. Commissioner Paul Cowley made a motion to approve of Upper Payment Limit Assistance for Emery County Care and Rehabilitation. The motion was seconded by Commissioner Keith Brady. The motion passed.

(16)

DISCUSSION OF ELECTRICAL PROBLEM IN CLERK/AUDITOR'S OFFICE AND APPROVAL OF COURSE OF ACTION.

Commissioner Cowley explained an electrical problem in the Clerk/Auditor's office. An intense smell permeated the Clerk/Auditor's office for several days last week. It was determined that the smell was from a shorted out outlet. An electrician was called in and determined that there was a big draw on amps in that room. The wiring in the building was not designed for the additional draw of amps from the advanced technology we use today. Commissioner Cowley suggested putting out an RFP to get a proposal for upgrading the electrical wiring in the Clerk/Auditor's room. Clerk/Auditor Brenda Tuttle suggested that if the electrical in our office does not meet the needs then the rest of the offices are in question also. Commissioner Paul Cowley made a motion to advertise for a RFP from an electrical contractor to provide a solution to the electrical problems existing in the Clerk/Auditor's office as well as the rest of the courthouse and make



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recommendations to the Commission for solutions. The motion was seconded by Commissioner Keith Brady. The motion passed.

(17)

DISCUSSION AND POSSIBLE APPROVAL OF GRANT APPLICATION FROM ARCHIVES AND LIBRARIES FROM STORY CORPS TO OBTAIN PERSONAL HISTORIES OF VETERANS.

Bernice Payne explained that the Archives Department received an invitation from Story Corps that provides grants to libraries to obtain personal histories of veterans. She indicated that the grant provides \$2,500.00 stipend to be used for supplies and money to get to the person to be interviewed. They pick 10 applicants nationwide. They supply the equipment that will be left in the libraries. If we are chosen the work will be done in the Cleveland Library. Carole Larsen Library Director agreed with that as long as library staff is not used to do the work. Bernice indicated volunteers will be trained and is expense paid for training. This is just the application process. If they are chosen they will be back with the paperwork to be signed. The application is due on Friday, February 6, 2015. Commissioner Keith Brady made a motion to approve of a grant application from Archives and Libraries from Story Corps to obtain personal histories of veterans. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(18)

COMMISSION/ELECTED OFFICIALS REPORT.

*Commissioner Cowley*

Commissioner Cowley talked about what Kent Powell did with his war veteran memorial and hopes that what Bernice is trying to do will be similar. Commissioner Cowley reported on attending Museum of the San Rafael Board meeting where they discussed a number of things to bring interest to the museum. They have several events planned to draw people into the museum.

*Commissioner Brady*

Commissioner Brady reported on attending a catastrophic fire meeting with the Forest Service. Forest Service personnel are asking for input on areas of concern and possible control burn areas in the county. He reported that Four Corners does assessments of under age sales by businesses in the county. They did 18 last year and Emery County is 100% in compliance with the law. Emery County can be proud of that. The Emery County Aquatic Center has a Facebook page now that will be used as a platform to send out information. There are six Russians from three

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different rural Russian organizations coming to Green River. The group is visiting rural communities who have met with economic and community growth and how they met the challenges that come with that growth. He provided an update of the activity with the new refinery in Green River. Rock River will be working in phases to complete the work which will begin in March. The first phase will be the rail spur. They plan to employ about 100 people. They anticipate that each phase will employ additional people. Green River City is on track to have all the annexation and taxing structures in place to assist in their development.

*Commissioner Migliori*

Commissioner Migliori recently attended a BLM scoping meeting where they discussed concerns for areas south of Green River specifically the San Rafael area. They talked about open/closed roads, improvements, signage, etc. He talked about attending COG meeting with the mayors of Emery County where the mayors were updated on the process with the relocation of the state prison. He encouraged the mayors to continue to be proactive with respect to economic development within their respective communities. He reported on a recent workplace safety seminar at the high school. There was a lot of participation by the students and people from the communities and around the state. The focus was on safety of kids in schools. Procurement and technical assistance is available for businesses that are interested in opportunities to export outside of the county.

(19)

ADJOURNMENT

ATTEST: \_\_\_\_\_ COMMISSIONER: \_\_\_\_\_